

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

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|---------------------------------|---|-----------------------|
| PADRES UNIDOS DE TULSA, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Case No. CIV-24-511-J |
| |) | |
| GENTNER DRUMMOND, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

This case centers around the constitutionality of Oklahoma House Bill 4156 (H.B. 4156), codified at Okla. Stat. tit. 21, § 1795, which imposes state criminal penalties on noncitizens who enter Oklahoma without authorization to enter the United States.

On May 21, 2024, the federal government filed suit against the State of Oklahoma and several of its officials for declaratory and injunctive relief to enjoin enforcement of H.B. 4156. The next day, it formally moved for a preliminary injunction on grounds that H.B. 4156 was preempted by federal law and violated the Foreign Commerce Clause.

On May 23, 2024, Padres Unidos de Tulsa and Ximena Monserrat Lopez Mena filed a separate yet similar lawsuit challenging H.B. 4156. An amended complaint followed one day later adding three additional plaintiffs—Jordy Madrigal Martinez, Antonio Marquez, and Rene Doroteo (collectively, with Padres Unidos de Tulsa and Ximena Monserrat Lopez Mena, the Padres Unidos Plaintiffs). That same day, the Padres Unidos Plaintiffs moved for a preliminary injunction on grounds similar to those raised by the federal government. The Court consolidated the two cases on June 5, 2024.

On June 28, 2024—just before H.B. 4156’s scheduled effective date—the Court granted the federal government’s motion for a preliminary injunction and denied the Padres Unidos

Plaintiffs' injunction motion as moot. *See* [Doc. Nos. 39, 40]. Oklahoma appealed, but the federal government voluntarily dismissed its complaint before appellate review. [Doc. No. 50]. The Tenth Circuit then dismissed the appeal as moot and denied the Padres Unidos Plaintiffs' motion to intervene. [Doc. No. 52].

On May 13, 2025, Ximena Monserrat Lopez Mena, Jordy Madrigal Martinez, Antonio Marquez, and Rene Doroteo Hernandez voluntarily dismissed their claims—leaving only Padres Unidos de Tulsa. Padres Unidos de Tulsa then moved for (1) leave to file a second amended complaint adding the League of United Latin American Citizens Oklahoma City and two individuals—Barbara Boe and Christopher Coe—as plaintiffs, along with class action allegations; and (2) a temporary restraining order (TRO) to enjoin enforcement of H.B. 4156. The Court granted leave to file the second amended complaint, and the request for a TRO now awaits the Court's decision.

Defendants Attorney General Gentner Drummond, Oklahoma Department of Public Safety Commissioner Tim Tipton, Oklahoma County District Attorney Vicki Behenna, and Tulsa County District Attorney Steve Kunzweiler shall respond to the request for a TRO by 5:00 p.m. on May 15, 2025.

IT IS SO ORDERED this 14th day of May, 2025.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE